IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5017 of 2005

Between:

V.Nagabhushanam, S/o.Brahmaiah,
Sarpanch of Guggilla Gram Panchayat, Bejjenki Mandal, Karimnagar District.

..... PETITIONER

AND

1 The Government of Andhra pradesh, rep. by its Principal Secretary, Panchayat Raj Department, Secretariat Buildings, Hyderabad.
2 The District Collector (Pts.Wing) Karimnagar District, Karimnagar.
3 The district Panchayat Officer, Karimnagar District, Karimnagar.
4 The Mandal Development Officer, Bejjenki Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in passing order in proceedings No.A6/1811/04-Pts dt.9.2.2005 suspending the petitioner from the post of Sarpanch of Guggilla Gram Panchayat, Bejjenki Mandal of Karimnagar District, without considering the explanation and enquiry as bad, arbitrary and violation of Principles of natural justice and pass such other order or orders.

Counsel for the Petitioner: MR.C.DAMODHAR REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage made the following :

O R D E R:

This writ petition is filed aggrieved by the order dated 09-02-2005 passed by the second respondent suspending the petitioner from the post of Sarpanch of Guggilla Gram Panchayat, Bejjenki Mandal of Karimnagar District, under Section 249 (6) of the Andhra Pradesh Panchayat Raj Act, 1994 (hereinafter referred to as 'the Act').

Against the said order, an alternative remedy is available by way of revision under Section 264 of the Act. Without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

The writ petition is accordingly disposed of grating leave and liberty to the petitioner to work out the alternative remedy of revision. However, it is made clear that if the petitioner prefers such revision within a period of two weeks from today, the respondents shall entertain and consider the same in accordance with law. No costs.

(G. ROHINI, J)

Date:14-03-2005

ghn

To

1 The Government of Andhra pradesh, rep. by its Principal Secretary, Panchayat Raj Department, Secretariat Buildings, Hyderabad.
2 The District Collector (Pts.Wing) Karimnagar District, Karimnagar.
3 The district Panchayat Officer, Karimnagar District, Karimnagar.
4 The Mandal Development Officer, Bejjenki Mandal, Karimnagar District.

5 Two CCs to the Government Pleader for Panchayat Raj and Rural Development, High Court of A.P., Hyderabad.(O.U.T.)

6. Two CD copies.